
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

UTAH FIRST FEDERAL CREDIT UNION
dba UTAH FIRST CREDIT UNION, a federal
credit union,

Plaintiff,

v.

UNIVERSITY FIRST FEDERAL CREDIT
UNION dba UFIRST CREDIT UNION, a
federal credit union,

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
LEAVE TO FILE UNDER SEAL

Case No. 2:22-cv-00146-RJS-DBP

Chief Judge Robert J. Shelby

Chief Magistrate Judge Dustin B. Pead

Defendants seek leave to file under seal portions of their Amended Answer to Amended Complaint for Trademark Infringement and Counterclaim. (ECF No. 67.) For good cause shown the court grants the motion.

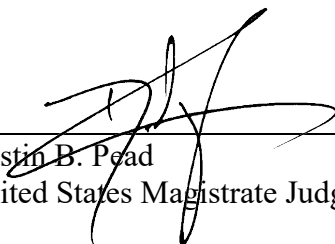
“The records of the court are presumptively open to the public,” and sealing court documents is “highly discouraged.” DUCivR 5-3(a)(1). The right of access to judicial records, however, is not absolute. *Colony Ins. Co. v. Burke*, 698 F.3d 1222, 1241 (10th Cir. 2012). “[T]he presumption in favor of access to judicial records may be overcome where countervailing interests heavily outweigh the public interests in access.” *Id.* (internal quotation marks omitted). “The burden is on the party seeking to restrict access to show some significant interest that outweighs the presumption.” *Id.* (internal quotation marks omitted).

Here, Defendants state that the information to be filed under seal includes information that might harm Defendants as it “consists of Plaintiff’s false, misleading and defamatory statements concerning Defendant, Defendant’s business practices, and Defendant’s

trademarks.” (ECF No. 67 p. 5.) Defendants further assert that the sealed information has been narrowly tailored to include only that which should be protected.

The court is persuaded that the presumption to public access to judicial records is overcome in this instance due to the countervailing interests. Thus, the motion is GRANTED.

DATED this 20 July 2023.



Dustin B. Pead
United States Magistrate Judge